

Serial No.: 10/074,188
Examiner: Fastovsky, Leonid M.
Art Unit: 3742

REMARKS

Claims 1-8 and 12-24 and 26-33 remain in the application. By this amendment claim 1 has been amended, and new claims 31-33 have been added. The present application as originally filed supports these amendments. No new matter has been added.

Telephone Conference with Examiner

Applicant's attorney Jeff Miller would like to thank the Examiner for his time on December 8, 2004 in discussing over the telephone suggestions for amendments to the claims that might put the present application in condition for allowance.

Claim Rejections

Claims 1-4, 6-8, 12, 13, 22, 23 and 26-29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,394,257 to Moldenhausner in view of U.S. Patent No. 1,514,628 to Pritzker.

Claims 5 and 14-21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Moldenhausner in view of Pritzker, and further in view of U.S. Patent No. 5,438,233 to Boland et al. and U.S. Patent Application Publication No. 2002/0096492 to George et al.

Claims 24 and 30 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Moldenhausner in view of Pritzker, and further in view of U.S. Patent No. 6,034,360 to Karlsson.

In response, independent claim 1 has been amended to more clearly define the present invention. Applicant respectfully requests reconsideration and withdrawal of the rejections in light of these amendments.

Serial No.: 10/074,188
Examiner: Fastovsky, Leonid M.
Art Unit: 3742

Claim 1 has been amended to further recite that the helically wound filament is flat and forms at least two coils, and at least one of the coils is offset from the axis. Original claims 2-8, 12-22, 23, 24 and 26-30, and new claims 31-33 depend from claim 1.

Applicant respectfully submits that independent claim 1 as currently amended is not anticipated or made obvious by Moldenhauser, Pritzker, Boland et al., George et al. or Karlsson, whether these references are considered alone or in combination. None of Moldenhauser, Pritzker, Boland et al., George et al. or Karlsson, whether these references are considered alone or in combination, disclose or suggest a helically wound filament that is flat and that forms at least two coils, wherein at least one of the coils is offset from the axis.

Applicant, therefore, requests reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. 103(a) as being unpatentable over Moldenhauser in view of Pritzker, and further in view of Boland et al., George et al. or Karlsson.

Conclusion

In view of the amendments and remarks submitted herein, applicant believes that claims 1-8, 12-22, 23, 24 and 26-30, and new claims 31-33, currently pending in the present application are in condition for allowance, and respectfully request an indication of such allowance. If a telephone conference will expedite prosecution of the application the Examiner is invited to telephone the undersigned. For example, the Examiner is invited to call attorney Jeff Miller at 617-535-4421 if he believes additional amendments are necessary to place the application in condition for allowance.

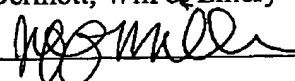
Serial No.: 10/074,188
Examiner: Fastovsky, Leonid M.
Art Unit: 3742

No fee is believed to be required; however, if a fee is required, or otherwise necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our deposit account no. 50-1133.

Respectfully submitted,

McDermott, Will & Emery

Date: February 2, 2005


Mark G. Lappin, P.C., Reg. No. 26,618
Jeffrey J. Miller, Reg. No. 39,773
Attorneys for Applicants
28 State Street
Boston, MA 02109-1775
Telephone: (617) 535-4000
Facsimile: (617) 535-3800